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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/201,867	11/30/1998	YUTAKA TAKAMI	HIT2944	2148

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MATTINGLY, STANGER & MALUR, P.C.
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EXAMINER

AKERS, GEOFFREY R

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 06/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

44

Office Action Summary	Application 09/20/867	Applicant(s) Tskami	
	Examiner Akers, g	Art Unit 3624	Confirmation No.

- The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address -

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- ☒ Responsive to communication(s) filed on 4/29/03
- ☒ This action is FINAL. ☐ This action is non-final.
- ☐ Since this application is in condition for allowance except for the formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 23-40 is/are pending in this application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 23-40 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ The proposed drawing correction, filed on _____ is ☐ approved or ☐ disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action.
- ☐ The drawing(s) filed on _____ is/are ☐ accepted or ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d) or (f).
- ☐ All ☐ Some* ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. _____
- ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- *Certified copies not received:
- ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- ☐ The translation of the foreign language provisional application has been received.
- ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s) _____
- ☐ Notice of References Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

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DETAILED ACTION

Response to Amendment

1. This action is issued in response to applicant's Amendment D filed 4/29/03.
2. Claims 23,36,37 were amended. No claims were cancelled. None were added.
3. Claims 23-40 are currently pending.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claim 26 is rejected under 35 USC 102(b) as anticipated by Jones(US Pat. 5,623,547).
6. As per claim 26 Jones teaches a terminal device according to claim 23, further comprising a display device(Fig 1/1b/2b/3b)(col 5 lines 34-35) and an input-output device(col 5 lines 44-52).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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8. Claims 23-37 as amended, are rejected under 35 USC 103(a) as unpatentable over Jones(US Pat. No: 5,632,547) in view of Shiobara(US Pat. No: 6,105,864) in view of Benton(US Pat. No: 4,454,414) in view of Hopkins(US Pat. No:5,999,624) and further in view of Carlisle(US Pat. No: 5,649,118).

In the amended claims,with augmentation to the rejection of Paper #17, Hopkins further teaches a payment module that communicates with a receiving device connected to an interactive network to conduct a financial transaction as well as the payment module being separate from the control device(col 3 lines 25-30). Carlisle teaches a control circuit controlling switching from accounts in a smart card(Abstract)(Fig 10)(Fig 11)(Fig12-14).It would have been obvious to one skilled in the art at the time of the invention to combine Jones in view of Shiobara to teach part of the above. The motivation to combine is to teach a mechanism for providing a terminal device and terminal system which deals with electronic money and excels in operability and management of the funds as enunciated by Shiobara(col 1 lines 21-25). Furthermore, it also would have been obvious to one skilled in the art at the time of the invention to combine Jones in view of Shiobara and further in view of Benton to teach the above. The motivation to combine Benton with Jones in view of Shiobara is to teach a new and improved electronic funds transfer system as enunciated by Benton(col 2 lines 11-12).Furthermore, it also would have been obvious to one skilled in the art at the time of the invention to combine Jones in view of Shiobara in view of Bentonand further in view of Hopkins to teach the above. The motivation to combine Bention with Jones in view of Shiobara and further in view of Hopkins is to teach a new and

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improved electronic funds transfer system over a network using a payment module as a remote communication device as enunciated by Hopkins(col 3 lines 16-25).Finally, it also would have been obvious to one skilled in the art at the time of the invention to combine Jones in view of Shiobara in view of Benton in view of Hopkins and further in view of Carlisle to teach all the above. The motivation to combine Benton with Jones in view of Shiobara in view of Hopkins and further in view of Carlisle is to teach a new and improved system wherein a single set of consumer items may be purchased by debiting any of a plurality of accounts stored on a smart card as enunciated by Carlisle(col 1 lines 65-67) and which may be applied to accessing accounts through multiple paths from a payment module which may be included or separate from a control device.

9.As per claim 38 Shiobara teaches a terminal device according to claim 23 wherein electronic money can be transmitted along a second path regardless of the operational state of the first external device (Fig 1/21/20/10-1/10-2/10-3)(Fig 3)(Fig 4/S109/S104)(Fig 8)(col 3 lines 14-59)(col 4 line 38-col 5 line 30).It would have been obvious to one skilled in the art at the time of the invention to combine Jones in view of Shiobara to teach part of the above. The motivation to combine is to teach a mechanism for providing a terminal device and terminal system which deals with electronic money and excels in operability and management of the funds as enunciated by Shiobara(col 1 lines 21-25). Furthermore, it also would have been obvious to one skilled in the art at the time of the invention to combine Jones in view of Shiobara and further in view of Benton to teach the above. The motivation to combine Benton with Jones in view of Shiobara is

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to teach a new and improved electronic funds transfer system as enunciated by Benton(col 2 lines 11-12).Furthermore, it also would have been obvious to one skilled in the art at the time of the invention to combine Jones in view of Shiobara in view of Bentonand further in view of Hopkins to teach the above. The motivation to combine Bention with Jones in view of Shiobara and further in view of Hopkins is to teach a new and improved electronic funds transfer system over a network using a payment module as a remote communication device as enunciated by Hopkins(col 3 lines 16-25).Finally, it also would have been obvious to one skilled in the art at the time of the invention to combine Jones in view of Shiobara in view of Benton in view of Hopkins and further in view of Carlisle to teach all the above. The motivation to combine Benton with Jones in view of Shiobara in view of Hopkins and further in view of Carlisle is to teach a new and improved system wherein a single set of consumer items may be purchased by debiting any of a plurality of accounts stored on a smart card as enunciated by Carlisle(col 1 lines 65-67) and which may be applied to accessing accoun ts through multiple paths from a payment module which may be included or separate from a control device.

10. As per claim 39 Shiobara teaches a terminal device according to claim 36 wherein electronic money can be transmitted along a second path regardless of the operational state of the first external device (Fig 1/21/20/10-1/10-2/10-3)(Fig 3)(Fig 4/S109/S104)(Fig 8)(col 3 lines 14-59)(col 4 line 38-col 5 line 30).It would have been obvious to one skilled in the art at the time of the invention to combine Jones in view of Shiobara to teach part of the above. The motivation to combine is to teach a mechanism for providing a terminal device and terminal system which

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deals with electronic money and excels in operability and management of the funds as enunciated by Shiobara(col 1 lines 21-25). Furthermore, it also would have been obvious to one skilled in the art at the time of the invention to combine Jones in view of Shiobara and further in view of Benton to teach the above. The motivation to combine Benton with Jones in view of Shiobara is to teach a new and improved electronic funds transfer system as enunciated by Benton(col 2 lines 11-12).Furthermore, it also would have been obvious to one skilled in the art at the time of the invention to combine Jones in view of Shiobara in view of Bentonand further in view of Hopkins to teach the above. The motivation to combine Bention with Jones in view of Shiobara and further in view of Hopkins is to teach a new and improved electronic funds transfer system over a network using a payment module as a remote communication device as enunciated by Hopkins(col 3 lines 16-25).Finally, it also would have been obvious to one skilled in the art at the time of the invention to combine Jones in view of Shiobara in view of Benton in view of Hopkins and further in view of Carlisle to teach all the above. The motivation to combine Benton with Jones in view of Shiobara in view of Hopkins and further in view of Carlisle is to teach a new and improved system wherein a single set of consumer items may be purchased by debiting any of a plurality of accounts stored on a smart card as enunciated by Carlisle(col 1 lines 65-67) and which may be applied to accessing accoun ts through multiple paths from a payment module which may be included or separate from a control device.

11.As per claim 40 Shiobara teaches a terminal device according to claim 37 wherein electronic money can be transmitted along a second path regardless of the operational state of the first

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external device (Fig 1/21/20/10-1/10-2/10-3)(Fig 3)(Fig 4/S109/S104)(Fig 8)(col 3 lines 14-59)(col 4 line 38-col 5 line 30).It would have been obvious to one skilled in the art at the time of the invention to combine Jones in view of Shiobara to teach part of the above. The motivation to combine is to teach a mechanism for providing a terminal device and terminal system which deals with electronic money and excels in operability and management of the funds as enunciated by Shiobara(col 1 lines 21-25). Furthermore, it also would have been obvious to one skilled in the art at the time of the invention to combine Jones in view of Shiobara and further in view of Benton to teach the above. The motivation to combine Benton with Jones in view of Shiobara is to teach a new and improved electronic funds transfer system as enunciated by Benton(col 2 lines 11-12).Furthermore, it also would have been obvious to one skilled in the art at the time of the invention to combine Jones in view of Shiobara in view of Benton and further in view of Hopkins to teach the above. The motivation to combine Benton with Jones in view of Shiobara and further in view of Hopkins is to teach a new and improved electronic funds transfer system over a network using a payment module as a remote communication device as enunciated by Hopkins(col 3 lines 16-25).Finally, it also would have been obvious to one skilled in the art at the time of the invention to combine Jones in view of Shiobara in view of Benton in view of Hopkins and further in view of Carlisle to teach all the above. The motivation to combine Benton with Jones in view of Shiobara in view of Hopkins and further in view of Carlisle is to teach a new and improved system wherein a single set of consumer items may be purchased by debiting any of a plurality of accounts stored on a smart card as enunciated by Carlisle(col 1 lines 65-67)

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and which may be applied to accessing accounts through multiple paths from a payment module which may be included or separate from a control device.

Response to Arguments

12. Applicant's arguments filed 4/29/03 have been fully considered but they are not persuasive. Applicant's arguments are addressed in the references and citations in the claim rejections.

Conclusion

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

14. Any questions concerning this communication should be addressed to the examiner of record, Dr. Geoffrey Akers, P.E., who can be reached between 6:30 AM and 5:00 PM Monday

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through Friday at 703-306-5844. If attempts to contact the examiner are unsuccessful, the examiner's superior, Mr. Vincent Millin, SPE, may be telephoned at (703)-308-1065.

The fax number for Formal or Official faxes and Draft or Informal faxes to Technology Center 3600 or this Art Unit is (703)-308-3687. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)-308-1113.

GRA



June 11, 2003

DR. GEOFFREY R. AKERS, P.E.
PRIMARY EXAMINER